

as suggested by the Examiner to --Account Status System And Method For Managing A Closing Of A User Account--. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

Further, claims 1, 3, 4 and 13-20 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 6,315,196 ("Bachman"). For at least the reasons set forth below, Applicant respectfully traverses the rejection of claims 1, 3, 4 and 13-20.

Bachman appears to relate to a credit protection program which allows a card member to defer interest, fees, payments or adverse credit reporting on the card member's credit account during certain periods, such as unemployment. The card member, however, must be enrolled in the credit protection program. If the card member's enrollment is declined, the card member receives a message informing the card member why enrollment was denied. [Col. 7, line 66 to Col. 8, line 9]. Once enrolled, a card member apparently can cancel enrollment. An administrator receives and processes the request and automatically generates a "cancelled by cardmember" message to the card member. [Col. 9, lines 27-49].

Bachman, however, does not teach every element recited in independent claims 1 and 15 of the present application for at

least the following reasons. Specifically, as to claims 1 and 15, Bachman fails to teach:

- "automatically providing from the retrieved status information a reason why the account has not been closed if the account is determined to be coded to close", as recited in claim 1; and
- "to automatically provide through the response unit a message indicating a reason why the account has not been closed if the account is determined to be coded to close", as recited in claim 15.

Rather, Bachman teaches a system for canceling benefits associated with an account, not closing the account itself. Further, Bachman simply teaches providing reasons for denying enrollment and informing a card member that his or her enrollment was cancelled, not providing "a reason why the account has not been closed", as recited in independent claims 1 and 15. (Emphasis added).

The Office Action indicates that Bachman teaches the above-recited limitations of claims 1 and 15 in Col. 7, lines 41-62, from Col. 7, line 63 to Col. 8, line 16, and in Figure 4. Applicant respectfully submits that Bachman only teaches generating a message or letter to a card member explaining the reasons or reasons for declining enrollment, if the card member fails the enrollment criteria. As described above, Bachman does

not teach providing a user "a reason why the account has not been closed", as recited in claims 1 and 15 of the present application. (Emphasis added).

Accordingly, Applicant respectfully submits that claims 1 and 15 are not anticipated by Bachman.

Claims 3, 4, 13 and 14 depend from and further limit claim 1 and claims 16-20 depend from and further limit claim 15, and, for at least the reasons stated above in connection with claims 1 and 15 are not anticipated by Bachman.

Claims 2, 6-12 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bachman in view of U.S. Pat. No. 5,878,337 ("Joao et al.").

Claims 2 and 6-12 depend from and further limit claim 1 and claim 16 depends from and further limits claim 15, and, for at least the reasons stated above in connection with claims 1 and 15 is patentable over Bachman in view of Joao et al.

Claim 5 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bachman as modified by Joao et al. and further in view of U.S. Pat. No. 5,724,523 ("Longfield").

Claim 5 depends from and further limits claim 1 and, for at least the reasons stated above in connection with claim 1 is patentable over Bachman as modified by Joao et al. and further in view of Longfield.

Claims 21-26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bachman in view of Joao et al. and Longfield. Applicant respectfully traverses this rejection for at least the following reasons.

Joao et al. appears to relate to an apparatus and method for providing real-time authorization for, notification of or security for a financial transaction or cellular telephone use. For example, in Joao et al., an individual receives a signal at a communication device indicating that a financial transaction associated with a credit card of the individual is occurring at a point of sale terminal, or a cellular telephone associated with the individual is being used, in an effort to prevent unauthorized use. [Col. 16, lines 57-65; col. 20, lines 31-47; col. 32, lines 19-30].

Longfield appears to relate to a system for enabling tax filers to more rapidly receive refunds from a taxing authority and to establish good credit. A deposit/loan account is created with the capability of receiving electronic fund transfer deposits directly from the taxing authority. In Longfield, once the funds are received, the funds are apparently transferred into a certificate of deposit which can be used as collateral for a secured credit card issued to the tax filer. [Col. 1, lines 22-36].

In the Office Action, independent claim 21 was rejected as being unpatentable over Bachman in view of Joao et al. and Longfield. Applicant respectfully submits, however, that the Office Action did not apply the cited art to each and every element of independent claim 21. For instance, Bachman, Joao et al. and Longfield, alone or in combination, were not applied to at least the following two elements of independent claim 21:

- "determining from the retrieved status information whether the account has been closed, and if the account has not been closed, ... whether a security deposit will be or was applied to the account"; and
- "determining a date the security deposit will be applied to the account if it was determined that the security deposit was not applied to the account".

Accordingly, Applicant respectfully requests that the rejection of independent claim 21, and claims 22-26 depending from claim 21, be withdrawn.

In any event, Applicant respectfully submits Bachman, Joao et al. and Longfield, alone or in combination, do not teach or suggest at least the above-enumerated elements recited in independent claim 21.

Rather, Bachman and Joao et al. fail to even mention security deposits for secured cards, whereas Longfield simply refers to a tax filer receiving a secured credit card based on a

certificate of deposit funded with a tax return acting as the collateral. Based on these references, Applicant respectfully submits that it would not have been obvious to one having ordinary skill in the art at the time the invention was made to at least "determin[e] from the retrieved status information whether the account has been closed, and if the account has not been closed, ... whether a security deposit will be or was applied to the account".

In addition to the lack of a teaching or suggestion in Bachman, Joao et al. and Longfield as described above, there is no suggestion or motivation to combine the references. See MPEP § 2143.01.

Accordingly, Applicants respectfully submit that independent claim 21 is patentable over Bachman, Joao et al. and Longfield, alone or in combination.

Claims 22-26 depend from and further limit claim 21 and, for at least the reasons stated above in connection with claim 21, are patentable over Bachman in view of Joao et al. and Longfield.

Applicant has added new independent claims 27-29 to more comprehensively cover the scope of the present application. For at least the reasons indicated above, Applicant respectfully submits that claims 27-29 are also patentable over the cited art.

This communication is believed to be fully responsive to the Office Action and every effort has been made to place the application in condition for allowance. The claims, in view of the foregoing explanation, are believed to be patentable over the cited art, and a favorable Office Action is hereby earnestly solicited.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Examiner is requested to telephone the number provided below.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment to 37 C.F.R. §1.121. The attached page is captioned "**VERSION WITH MARKINGS TO SHOW CHANGES MADE.**"

Respectfully submitted,

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VERSION WITH CHANGES MARKED-UPIn the claims:

Please add new claims 27-29 as follows.

--27. (New) A method for managing a closing of an account of a user, comprising:

receiving a request from the user to close the account;  
subsequently receiving an identifier associated with the account of the user, the identifier being input by the user through a response unit during a telephone call;  
retrieving status information associated with the identifier;  
determining from the retrieved status information whether the account is coded to close; and  
automatically providing a voice message to the user during the telephone call through the response unit based on the retrieved status information, the voice message indicating a reason why the account has not yet been closed if the account is determined to be coded to close.

28. (New) A method for informing a user of a status of an account, comprising:

receiving from the user an account identifier through a response unit;

retrieving status information associated with a closing of  
the account according to the received account identifier;  
determining from the retrieved status information whether  
the account has been closed, and if the account has not been  
closed, determining at least one of whether a refund is owed to  
the user on the account and whether a security deposit will be  
or was applied to the account;  
determining at least one of a date the account will close  
if it was determined that the account is not closed and  
determining a date the user will receive the refund if it was  
determined that the refund is owed to the user;  
determining a date the security deposit will be applied to  
the account if it was determined that the security deposit was  
not applied to the account; and  
automatically providing to the user from the retrieved  
status information a voice message through the response unit,  
the voice message  
indicating a reason why the account has not been closed,  
and  
indicating at least one of the date the account will close,  
the date the user will receive the refund and the date the  
security deposit was or will be applied to the account, if it  
was determined that the account is not closed.

29. (New) A method for expediting calls through a voice response unit from a user inquiring about the status of an account previously requested to be closed, the method comprising:

receiving an identifier associated with the account, the identifier being input by the user during a telephone call;  
retrieving status information associated with the received identifier, the status information indicating that the account has not yet been closed and at least one reason why the account has not yet been closed; and

automatically providing a voice message to the user during the telephone call through the voice response unit, the voice message indicating at least one reason why the account has not yet been closed.--